

City of Torrington Connecticut.txt
From: Kimberly Barbieri [Kimberly_Barbieri@torringtonct.org]
Sent: Monday, March 15, 2010 4:16 PM
To: Wade, Douglas J HQ02
Cc: Martin J Connor; Ed Fabbri; Christian, Art; Michalak, Scott C NAE
Subject: COE-2010-0007

Follow Up Flag: Follow up
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Attachments: image001.jpg

Date: March 15, 2010

To: Douglas J. Wade, US Army Corps of Engineers

From: Kim Barbieri, Wetlands Enforcement Officer

City of Torrington

140 Main Street

Torrington, Connecticut

Re: Written comments on Department of Defense

Department of the Army, Corps of Engineers –

Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls

Docket Number COE-2010-0007

Dear Mr. Wade,

I have reviewed the Notice from the Department of Defense regarding 'Process for Requesting a Variance from Vegetation Standards for Levees and Floodwalls' plus all the supporting documents cited in the notice and have the following comments:

1. The September 30, 2010 deadline is too short a time frame to be able to complete the documentation and requirements to submit the variance application. Allow at least 8-12 months from the date of regulation approval for noticing and response.
2. When the root system characteristic study is complete, is the Corps foreseeing additional variances for certain types of trees? Will that information be passed along to food project owners?
3. If no variance was applied for at this time, (by the cut off date) would the owners of a flood control project be able to apply for a variance in the future based on new maintenance plans?
4. Can a variance be applied for by the owner of a flood control project that is currently decommissioned due to vegetation maintenance? (Currently getting into compliance but looking at restoration alternatives especially through our visually important downtown area)
5. From an owner standpoint I would hope for a greater clarification as to what

City of Torrington Connecticut.txt
would require a vegetation variance. For example:

- a. In all documents the area of the streambank is excluded from the 'vegetation-free zone'. Any changes to the streambank vegetation would require a variance under these regulations assuming they are an appurtenant structure?
- b. Would allowing grasses to grow 12" ht outside of the vegetation free zone and mowing once annually for fall inspections require a vegetation variance? (in lieu of 6" ht)
- c. No documents verify if creeping groundcovers similar to Crown Vetch would be appropriate cover for flood project levees and stream banks.
- d. Are animal burrows permitted in none levee areas within stream banks under the consideration that expanding the native habitat to include burrowing mammals in an area that would not effect the stability or function of the flood control devises would preserve, protect and enhance the natural characteristics of the river corridor.
- e. If the original flood control project showed large rip rap in extensive areas and the owner wanted to cover the stone with soil and plant grasses in select areas to enhance the aesthetics and improve water quality, would a vegetation variance be required if the grasses were to be maintained at 3-6" height?
- f. Is a variance required in order to use a seed mix with wild flowers in addition to grasses but the area is to be maintained at the 3-6" height range?
- g. If the current maintenance plan allows for the planting of Salix (willow) species at the toe of the streambank to control erosion, and no variance has been sought or granted to allow this type of planting, would a variance now be required?

I appreciate the opportunity to comment on this Notice. Please feel free to contact me should you have any questions regarding my message.

Sincerely,

Kim Barbieri, CZ&WEO

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City of Torrington Connecticut.txt

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